IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6731 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

WAGHRI SEVA SAMAJ PACHHAT VARGMANDAL

Versus

STATE OF GUJARAT

Appearance:

MR DARSHAN M PARIKH for Petitioner

MS HANSA B PUNANI for Respondent No. 1, 2

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 18/02/2000

ORAL JUDGEMENT

Heard the learned counsel for the parties.

2. It is not in dispute that the occupiers of the land in dispute were given the notice by the respondent No.2. Reply to notice has also been filed by the holders

of the land but instead of waiting for the decision on notice, they have come up before this court. This direct approach of the petitioner to the court without taking decision on notice is difficult to appreciate. Be that as it may.

3. This special civil application is disposed of in terms that the interim relief granted by this court shall continue till the respondent No.2 decides the notice given to the holders of the land. In case the respondent No.2 is not agreeable with the contention of the holders of the land then a reasoned order be passed and copy of the same be sent to those persons and in that eventuality interim relief granted by this court shall continue for a further period of 15 days. Liberty is granted to the petitioner for revival of this special civil application in case of difficulty. Rule and special civil application stand disposed of accordingly with no order as to costs.

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zgs/-